THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.11961 of 2006

DATED: 30.06.2006

Between:
Smt. Y.Sumeela. .. PETITIONER

versus

The Municipal Corporation of Hyderabad,
represented by its Commissioner & Special Officer,
Tank Bund, Hyderabad, and another. .. RESPONDENTS

WRIT PETITION NO.11961 of 2006

ORDER:

Heard the learned counsel.

2. The Writ Petition is filed for issuance of a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not entertaining the building application dated 9.6.2006 by insisting for NOC from the District Collector, Hyderabad, as illegal, arbitrary and unconstitutional and consequently direct the 1st respondent to consider the same and pass such other suitable orders.

3. This Court on more than a couple of occasions had pointed out that insistence of No Objection Certificate from the District Collector is not required.

4. In view of the same and also taking into consideration several factual details narrated in the affidavit filed in support of the Writ Petition, this Court is of the considered opinion that the petitioner is bound to succeed.

5. Accordingly the Writ Petition is hereby allowed. No costs.

30.06.2006

SSR